

**CITY OF BRIDGEPORT
CHARTER REVISION COMMISSION
REGULAR MEETING
MAY 3, 2012**

ATTENDANCE: C. Simpson, Chair (6:07 p.m.); G. Estrada, Vice-Chair; C. Valentino; F. Carter; R. Felipe; H. Weichsel

OTHERS: Atty. M. Anastasi (6:00 p.m.); Atty. E. Maley; Atty. S. Mednick

CALL TO ORDER.

Commissioner Estrada called the meeting to order at 5:50 p.m.

APPROVAL OF MINUTES

***COMMISSIONER VALENTINO MADE A MOTION TO APPROVE THE MEETING MINUTES OF APRIL 19, 2012**

*** COMMISSIONER WEICHSEL SECONDED**

****MOTION PASSED UNANIMOUSLY**

Commissioner Felipe stated that he received a phone call from Commissioner Marshall that he and his wife were in a serious car accident in Georgia. His wife is hospitalized with injuries. Commissioner Marshall will be returning to Bridgeport next week.

Atty. Mednick stated the final review of the draft charter will be at next week's Tuesday meeting. He will have ready the final draft of the document with all changes made. The footnotes will be moved to the back of the document, rather at the bottom. There will also be a non-annotated copy prepared. The commission will need to set the date for the final public hearing, set the dates for the balance of the commission meetings, which will be Special meetings as we have run out of regular meetings. We will also prepare for the presentation to the City Council scheduled for Thursday May 10. Would like to have a more 'personal' space than the Council Chambers to conduct the meeting. City Hall Annex and Superintendent's conference room are options. Commissioner Felipe will schedule a space.

Atty. Mednick asked if members had questions on the documents provided last week.

Commissioner Valentino commented on the 'cumbersome interview process' for BoE candidates. Commissioner Felipe felt that it reflected the need to see the level of commitment from prospective candidates. Commissioner Carter stated this is an important role they will be filling and we need to be certain we are recommending people qualified for the job, and we need to be honest with what is required of them.

Commissioner Felipe had a question on scaling down the # of slots on the Certification Committee and eliminating the residency requirements for those serving on this board. Commissioner Carter felt very strongly that they should be residents of Bridgeport. The residents already feel strongly that their right to select a board is being taken away. There are enough qualified people living in Bridgeport that can serve on the committee and we just need to find them. Atty. Mednick confirmed that the # of people on the nominating committee is 5. Commissioner Estrada noted that while he agreed with Commissioner Carter, he also felt that there are benefits to going outside the city as well, to people who have an otherwise vested interest in seeing that the city thrives. Because it could be misconstrued as favoring those outside the city, we need to leave the residency requirement in the language. Commissioner Carter added this is an important time and wants to empower city residents to step up to the plate and participate. Commissioner Weichsel added that engaging city residents speaks to a much broader issue, not only the Board of Education.

Atty. Anastasi joined the meeting at 6 p.m.

Att. Mednick said that the current charter allows the Mayor to appoint city residents to the Civil Service with the exception of the one member who is a city employee chosen by the union membership. The current representative is not a resident of the city, and do we need to address this or remain silent on this issue. Commissioner Felipe supports allowing the union membership to appoint someone without city residency. Commissioner Carter is in favor of requiring residency for all appointments.

Commissioner Simpson joined the meeting at 6:07 p.m.

A lengthy discussion followed on the subject of residency requirements for all boards and commissions, and how this interfaces with the state statutes. Atty. Anastasi added that because it has been *past practice* to allow a non-resident union member to serve on the Civil service Commission, to change it now would be an issue to be addressed during contract negotiations with the unions of the city. Commissioner Simpson agreed. Final consensus was to keep the residency requirement for all boards and commissions at this time.

Att. Mednick next addressed the sections on Department Head Qualifications. Not all department sections deal with qualifications on the same level, and are not at all uniform. As different functions were added language was added to deal with each individual circumstance. He noted that the language in some instances is quite archaic and would like to discuss this at the next meeting.

Atty. Mednick next addressed the upcoming schedule. He noted that any meetings going forward will be considered Special Meetings because we have run out of regular meetings.

May 8 – Special Meeting
May 10 – Meeting with City Council
May 15 – Special Meeting

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May 17 – Special Meeting – approving draft document to be filed with City Clerk

May 23 – Public Hearing

May 24 – Final Meeting and Vote on Final Draft of Document

Once final document is presented to the City Council Atty. Mednick will propose a series of meetings with the City Council, and specifically with the Ordinance Committee. These meetings are intended to review the revised charter section by section. Atty. Mednick will be the formal liaison with the City Council and its Committee's. These meetings will tentatively take place during the month of June. Discussion followed on participation by/attendance of commission members in these meetings. Council will need to take action by the end of June.

Commissioner Weichsel asked if there are any other cities in CT where there is a residency requirement and how effective is it. Atty. Mednick advised that you cannot do that in Connecticut anymore. There were those requirements in the past, but state statute was passed to make it

Commissioner Estrada initiated a discussion on Chapter 9 – Budget and Fiscal Controls. He noted that he believes everything is addressed in the charter, but it is now a matter of enforcement. There seems to be a lot of misinformation out there about this. As regards City Council Powers - The language reads that the council has the authority to ask anyone in the city to give me everything on your desk, pertaining to financial matters of the city, at any point in time because I want to read it. Is this accurate? Atty. Anastasi replied the council can use that power to compel appropriate, timely, reasonable reports and documents. Commissioner Estrada then asked if the Council must provide what they have received from Finance for review by the public. Atty. Anastasi said anyone can get anything that is not confidential under FOI. There are certain things that are confidential (or exempt) that do not qualify for release under FOI. Also, the public can only request to see anything that is currently available and non-exempt, and cannot compel you to create a new report.

Commissioner Estrada next reviewed timeframes as outlined in the charter. Both real or imagined, the bone of contention out there seems to be the timely submittal of reports. Atty. Anastasi commented that the Mayor's Proposed Budget information is on the website. Commissioner Estrada noted that this commission has had some discussion on the timeline for the annual budget adoption process, and do we want/need to extend the time. The council currently meets 5 nights a week during budget season. How much time is reasonably needed to complete the work, are adjustments needed. Atty. Anastasi asked if we should leave the start date as is and move the final approval date to coincide with budget approval on the state level. Atty. Mednick reviewed timelines and processes of different cities/town in CT to see how they handle this. Another issue is when the mil rate is set, and whether state statute dictates when this must occur.

Atty. Anastasi reviewed the language outlining the setting of the mil rate that is in the existing charter. Atty. Mednick stated that the question comes down to do they need more time, when do

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they get it, and when do you push it out to. He observed that Bridgeport is basically in line with most other municipalities. Commissioner Estrada asked if it would be a very difficult task for the City Clerk's office to post all council information/data within 5 days of receiving. Atty. Anastasi indicated that FOI Requirements dictate what has to be made available to the public and when it must be available. Other information is available via the FOI request process. A discussion on general FOI guidelines followed.

Commissioner Weichsel left the meeting at 7:05 p.m.

Commissioner Estrada asked if the council or a council committee is given a handout in a public meeting, are they required to make that available for viewing/post on the city website. Atty. Anastasi replied that documents used in a public meeting can be made available to the public via the FOI request process, unless they are considered exempt under the FOI regulations. Atty. Maley reviewed the state FOI regulations concerning availability of public documents. Commissioner Estrada noted that the public is always complaining about the lack accessibility to documents. Atty. Maley said that the perception on behalf of the public is that they can ask any questions and expect an answer, or require you to do research and provide a report. That is not what FOI was created for.

Commissioner Estrada revisited the discussion on recusal of City Council members. Commissioner Simpson said the charter is clear in that Council Members have a duty to recuse themselves when and if a conflict of interest exists. Whether or not the budget itself is a conflict of interest is the question. It is up to the individual person voting to determine if this is a conflict of interest. Can you Atty. Anastasi said that this immediately creates 2 groups of council members. Those who can vote on the budget and those who cannot.

With the current situation where 6 members of the city council are city employees, if there were 7 then you would not have enough available votes to pass a budget. His point is that the charter says that they are supposed to recuse themselves on individual issues. How do you vote on a whole budget when you have recused yourself on a portion of that budget. Atty. Anastasi indicated that you are voting on the whole budget while you have a conflict with a relatively small part.

Commissioner Estrada said that the reason that we are in the state we are in is that we have this *perceived* disaster with employees serving on the city council. We will continue to have trouble engaging valuable people in city government if we do not rid ourselves of this perceived problem.

ADJOURNMENT

***COMMISSIONER FELIPE MOVED TO ADJOURN THE MEETING**

***COMMISSIONER CARTER SECONDED**

****MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:20 p.m.

Respectfully submitted,

Jill Kuzmich
Telesco Secretarial Services